



[Billing Code 3290-F2]

## **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

### **Generalized System of Preferences (GSP): Notice of Initiation of the 2012 Annual GSP Product and Country Practices Review; Deadlines for Filing Petitions**

**AGENCY:** Office of the United States Trade Representative

**ACTION:** Notice of procedures for submission of petitions from the public

**SUMMARY:** This notice announces that the Office of the United States Trade Representative (USTR) is prepared to receive petitions to modify the list of products that are eligible for duty-free treatment under the GSP program and to modify the GSP status of certain GSP beneficiary developing countries because of country practices. USTR is also prepared to receive petitions requesting waivers of competitive need limitations (CNLs).

**FOR FURTHER INFORMATION CONTACT:** Tameka Cooper, GSP Program, Office of the United States Trade Representative, 600 17<sup>th</sup> Street, NW, Washington, DC 20508. The telephone number is (202) 395-6971; the fax number is (202) 395-9674, and the email address is [Tameka\\_Cooper@ustr.eop.gov](mailto:Tameka_Cooper@ustr.eop.gov).

**DATES:** The GSP regulations (15 CFR part 2007) provide the timetable for conducting an annual review, unless otherwise specified by notice in the *Federal Register*. Notice is hereby given that, in order to be considered in the 2012 Annual GSP Review, all petitions to modify the

list of articles eligible for duty-free treatment under GSP or to review the GSP status of any beneficiary developing country must be received by the GSP Subcommittee of the Trade Policy Staff Committee no later than 5:00 p.m. on October 5, 2012. Petitions requesting waivers of CNLs must be received by the GSP Subcommittee of the Trade Policy Staff Committee no later than 5:00 p.m. on November 21, 2012. Petitions submitted after the respective deadlines will not be considered for review. Decisions on which petitions are accepted for review, along with a schedule for any related public hearings and the opportunity for the public to provide comments will be announced at a later date.

**SUPPLEMENTAL INFORMATION: The 2012 Annual GSP Review.**

***GSP Product Review Petitions.*** Interested parties, including foreign governments, may submit petitions to: (1) designate additional articles as eligible for GSP benefits, including to designate articles as eligible for GSP benefits only if imported from countries designated as least-developed beneficiary developing countries, or only from countries designated as beneficiary sub-Saharan African countries under the African Growth and Opportunity Act (AGOA); (2) withdraw, suspend or limit the application of duty-free treatment accorded under the GSP with respect to any article; (3) waive the CNL for individual beneficiary developing countries with respect to specific GSP-eligible articles (these limits do not apply to least-developed beneficiary developing countries or AGOA beneficiary sub-Saharan African countries); and (4) otherwise modify GSP coverage.

As specified in 15 CFR 2007.1, all product petitions must include, *inter alia*, a detailed description of the product and the eight-digit subheading of the Harmonized Tariff Schedule of the United States (HTSUS) under which the product is classified.

As noted above, product petitions requesting CNL waivers for GSP-eligible articles imported from beneficiary developing countries that exceed the CNLs in 2012 must be received on or before the November 21, 2012, deadline described above. Before submitting petitions for CNL waivers, prospective petitioners may wish to review the year-to-date import trade data for products of interest. This data is available via the U.S. International Trade Commission's "Dataweb" database at <http://dataweb.usitc.gov/>.

***Country Practices Review Petitions*** Any interested party may submit a petition to review the GSP eligibility of any beneficiary developing country with respect to any of the designation criteria listed in sections 502(b) or 502(c) of the Trade Act (19 U.S.C. 2462(b) and (c)). As noted above, such petitions are due no later than 5:00 p.m. on Friday, October 5, 2012.

### **Requirements for Submissions**

All submissions for the GSP Annual Review must conform to the GSP regulations set forth at 15 CFR part 2007, except as modified below. These regulations are available on the USTR website at <http://www.ustr.gov/trade-topics/trade-development/preference-programs/generalized-system-preference-gsp/gsp-program-inf>. The GSP Guidebook also contains general instructions on how to submit a GSP petition. Any person or party making a submission is strongly advised to review the GSP regulations and the GSP Guidebook, available at the same link.

All submissions in response to this notice must be submitted electronically via <http://www.regulations.gov>, using docket number USTR-2012-0013. Hand-delivered submissions will not be accepted. Submissions must be submitted in English to the Chairman of the GSP Subcommittee of the Trade Policy Staff Committee by the applicable deadlines set forth in this notice. Submissions that do not provide the information required by sections 2007.0 and

2007.1 of the GSP regulations will not be accepted for review, except upon a detailed showing in the submission that the petitioner made a good faith effort to obtain the information required.

To make a submission using <http://www.regulations.gov>, enter docket number USTR-2012-0013 in the “Search for” field on the home page and click “Search.” The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting “Notice” under “Document Type” in the “Filter Results by” section on the left side of the screen and click on the link entitled “Comment Now.” The “<http://www.regulations.gov>” website offers the option of providing comments by filling in a “Type Comment” field or by attaching a document using the “Upload file(s)” field. Given the detailed nature of the information sought by the GSP Subcommittee, the Subcommittee prefers that submissions be provided in an attached document. Submissions must include at the beginning of the submission, or on the first page (if an attachment), the following text (in bold and underlined): (1) “2012 GSP Annual Review”; and (2) the eight-digit HTSUS subheading number in which the product is classified (for product petitions) or the name of the country (for country practice petitions). Furthermore, interested parties submitting petitions that request action with respect to specific products should also list at the beginning of the submission, or on the first page (if an attachment) the following information: (1) the requested action; and (2) if applicable, the beneficiary developing country. Submissions should not exceed 30 single-spaced, standard letter-size pages in 12-point type, including attachments. Any data attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Each submitter will receive a submission tracking number upon completion of the submissions procedure at <http://www.regulations.gov>. The tracking number will be the

submitter's confirmation that the submission was received into <http://www.regulations.gov>. The confirmation should be kept for the submitter's records. USTR is not able to provide technical assistance for the Web site. Documents not submitted in accordance with these instructions may not be considered in this review. If an interested party is unable to provide submissions as requested, please contact the GSP Program at USTR to arrange for an alternative method of transmission.

### ***Business Confidential Petitions***

An interested party requesting that information contained in a petition be treated as business confidential information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly designated as such. The submission must be marked "BUSINESS CONFIDENTIAL" at the top and bottom of the cover page and each succeeding page, and the submission should indicate, via brackets, the specific information that is confidential.

Additionally, "Business Confidential" must be included in the "Type Comment" field. Any submission containing business confidential information must be accompanied by a *separate*, non-confidential version of the confidential submission, indicating where confidential information has been redacted. The non-confidential version will be placed in the docket and open to public inspection.

### **Public Viewing of Review Submissions**

Submissions in response to this notice, except for information granted "business confidential" status under 15 CFR § 2003.6, will be available for public viewing pursuant to 15 CFR § 2007.6 at [www.regulations.gov](http://www.regulations.gov) upon completion of processing and no later than approximately two weeks after the relevant due date. Such submissions may be viewed by

entering the docket number USTR-2012-0013 in the search field at: [www.regulations.gov](http://www.regulations.gov).

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James Sanford

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[FR Doc. 2012-18426 Filed

07/27/2012 at 8:45 am; Publication Date: 07/30/2012]